

United States Exhibit D (Declaration of Shawn Jordan and Attachments)

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

C.M., on her own behalf and on behalf of
her minor child, B.M.; L.G., on her own
behalf and on behalf of her minor child,
B.G.; M.R., on her own behalf and on
behalf of her minor child, J.R.; O.A., on her
own behalf and on behalf of her minor
child, L.A.; and V.C., on her own behalf
and on behalf of her minor child, G.A.,

Plaintiffs,

v.

United States of America,

Defendant.

Case No. 2:19-cv-05217-SRB

**DECLARATION OF SHAWN J.
JORDAN**

DECLARATION OF SHAWN J. JORDAN

I, Shawn J. Jordan, declare the following based on my personal knowledge,
information acquired by me in the course of performing my official duties, information
contained in the records of U.S. Customs and Border Protection (“CBP”), and
information supplied to me by current CBP employees.

1. I am currently employed by CBP as an Executive Officer in the Yuma
Border Patrol Sector, Yuma, Arizona, and have been employed by CBP or a predecessor
agency for 25 years.
2. I was assigned to the Yuma Border Patrol Station for close to 24 years and I
transferred to the Yuma Sector Headquarters approximately one year ago.
3. As an Executive Officer, my current responsibilities include the supervision
and management of numerous Yuma Sector programs, including its processing and

1 detention programs.

2 4. In May 2018, I was the Special Operations Supervisor for the Yuma Border
3 Patrol Station's Processing, Screening & Transportation ("PST") Unit. I held that
4 position from November 2017 until December 2021. My duties in that position included
5 managing non-citizen processing and detention operations for the Yuma Border Patrol
6 Station.
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8 5. As part of my duties and through my experience as a U.S. Border Patrol
9 agent, I am familiar with, and regularly use, CBP's electronic system referred to as e3,
10 and its associated modules, including e3 Processing, e3 Biometrics, e3 Detention and e3
11 Prosecutions.
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13 6. CBP operates e3 to collect and transmit data related to law enforcement
14 activities to the U.S. Immigration and Customs Enforcement ("ICE") Enforcement
15 Integrated Database ("EID") and the Department of Homeland Security's ("DHS")
16 Automated Biometric Identification System ("IDENT") and its successor system, the
17 Homeland Advanced Recognition Technology System ("HART").
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19 7. e3 is the primary transactional system used by U.S. Border Patrol ("USBP"
20 or "Border Patrol") agents to record encounters with non-citizens. e3 is used to, among
21 other things, generate immigration enforcement forms; capture narratives entered by
22 USBP agents; transmit biographic information for storage in ICE's EID and biometric
23 information for storage in IDENT and its successor system, HART; view and record
24 information pertaining to criminal prosecutions (including past criminal history and
25 current case information and charges), build cases for prosecution, and generate
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1 documents electronically based on the requirements of a particular court; and track and
2 manage various detainee custodial actions.

3 8. Documents that are generated from e3 include but are not limited to:

4 (a) the Form I-213, which, among other things, captures information relating
5 to the biographical information, criminal and immigration history, apprehension,
6 screening, processing and, if applicable, criminal prosecutions of non-citizens.

7
8 (b) the Subject Activity Log, which documents the completion of various
9 activities relating to a detained individual's custody in a Border Patrol station, including
10 but not limited to: the booking in and booking out of the facility (the booking in and
11 booking out actions create time stamps to document the arrival and departure of subjects
12 from Border Patrol facilities); the request and receipt of a placement of a minor with the
13 Department of Health and Human Services' ("HHS") Office of Refugee Resettlement
14 (ORR); the service of meals, snacks, and hygiene products; and the completion of
15 processing. As a matter of general practice, the custodial activities are recorded in the e3
16 Detention Module contemporaneously as the actions occur.

17
18 (c) a Manifest of Persons and Property Transferred, which documents the time
19 and date a non-citizen is transferred out of a U.S. Border Patrol facility and the location
20 where custody is being transferred.

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22 (d) a disposition from the e3 Prosecutions Module, which notes whether a case
23 that was referred for prosecution to the U.S. Attorney's Office was accepted or declined
24 for prosecution and the date of that disposition.

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26 9. Attached hereto are true and accurate copies of the following records from
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1 the e3 system for the following individuals, all of whom are plaintiffs in this case to my
2 understanding:

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4 (a) At Attachment 1, for the individuals referred to C.M. and B.M.: the I-213s
5 for C.M. (CM-US-CPB-U-0000037-39) and B.M. (CM-US-CPB-U-0000043-45) relating
6 to their May 2018 encounter with U.S. Border Patrol; the Subject Activity Logs for C.M.
7 (CM-US-CPB-U-0000031-35) and B.M. (CM-US-CPB-U-0000040-42) relating to their
8 custody in the Yuma Border Patrol Station in May 2018; the Manifests of Persons and
9 Property Transferred for C.M. (CM-US-CPB-U-0000036) and B.M. (CM-US-CPB-U-
10 0000052) relating to their transfers out of the Yuma Border Patrol Station in May 2018.

11 (b) At Attachment 2, for the individuals referred to as L.G. and B.G.: the I-
12 213s for L.G. (CM-US-CPB-U-0000086-88) and B.G. (CM-US-CPB-U-0000094-96)
13 relating to their May 2018 encounter with U.S. Border Patrol; the Subject Activity Logs
14 for L.G. (CM-US-CPB-U-0000079-84) and B.G. (CM-US-CPB-U-0000091-93) relating
15 to their custody in the Yuma Border Patrol Station in May 2018; the Manifests of Persons
16 and Property Transferred for L.G. (CM-US-CPB-U-0000085) and B.G. (CM-US-CPB-U-
17 0000103) relating to their transfers out of the Yuma Border Patrol Station in May 2018;
18 and a printout from the e3 Prosecution Module capturing the prosecution disposition for
19 L.G. (CM-US-CPB-U-0000089-90).

20 (c) At Attachment 3, for the individuals referred to as M.R. and J.R.: the I-213s
21 for M.R. (CM-US-CPB-U-0000108-111) and J.R. (CM-US-CPB-U-0000118-120)
22 relating to their May 2018 encounter with U.S. Border Patrol; the Subject Activity Logs
23 for M.R. (CM-US-CPB-U-0000104-106) and J.R. (CM-US-CPB-U-0000114-116)
24 relating to their custody in the Yuma Border Patrol Station in May 2018; the Manifests of
25 Persons and Property Transferred for M.R. (CM-US-CPB-0010996-998 and CM-US-
26 CPB-U-0000107) and J.R. (CM-US-CPB-U-0000117) relating to their transfers out of the
27 Yuma Border Patrol Station in May 2018; and a printout from the e3 Prosecution Module
28 capturing the prosecution disposition for M.R. (CM-US-CPB-U-0000112-113).

(d) At Attachment 4, for the individuals referred to as O.A. and L.A.: the I-213s for O.A. (CM-US-CPB-U-0000131-134) and L.A. (CM-US-CPB-U-0000141-143) relating to their May 2018 encounter with U.S. Border Patrol; the Subject Activity Logs for O.A. (CM-US-CPB-U-0000127-129) and L.A. (CM-US-CPB-U-0000137-139) relating to their custody in the Yuma Border Patrol Station in May 2018; the Manifests of Persons and Property Transferred for O.A. (CM-US-CPB-U-0000130) and L.A. (CM-US-CPB-U-0000140) relating to their transfers out of the Yuma Border Patrol Station in May 2018; and a printout from the e3 Prosecution Module capturing the prosecution disposition for O.A. (CM-US-CPB-U-0000135-136).

(e) At Attachment 5, for the individuals referred to as V.C. and G.A.: the I-213s for V.C. (CM-US-CPB-U-0000155-157) and G.A. (CM-US-CPB-U-0000162-164) relating to their May 2018 encounter with U.S. Border Patrol; the Subject Activity Logs for V.C. (CM-US-CPB-U-0000150-153) and G.A. (CM-US-CPB-U-0000158-160) relating to their custody in the Yuma Border Patrol Station in May 2018; the Manifests of Persons and Property Transferred for V.C. (CM-US-CPB-U-0000154) and G.A. (CM-US-CPB-U-0000161) relating to their transfers out of the Yuma Border Patrol Station in May 2018.

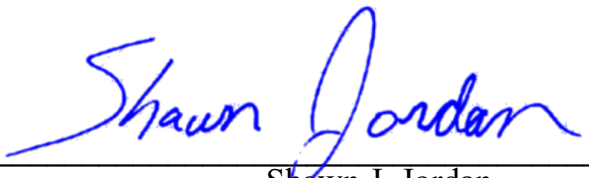
10. Attachment 6 contains Placement Confirmation Emails (CM-US-ICE-0003562A-03563A; CM-US-ICE-0003709A-03711A; CM-US-ICE-0003719A-03720A; CM-US-ICE-0003778A-03779A; CM-US-ICE-0007460A-07462A) received by YUMASCREENERSGML@cbp.dhs.gov, which was a Global Mailing List comprised of Yuma Station Border Patrol agents and supervisors assigned to the PST unit, who, among other things, were responsible for facilitating the transfer of non-citizens out of Border Patrol custody to U.S. Marshal Service facilities, ICE facilities, or ORR facilities.

11. In May 2018, in the U.S. Border Patrol's Yuma Sector, adult non-citizens were identified as amenable to prosecution and designated to be processed for prosecution by agents in the PST Unit. The decision that an adult non-citizen would be processed for prosecution was made as soon as practicable following the intake of the adult non-citizen at the Yuma Border Patrol Station. An ORR placement request was

1 made by agents in the PST Unit as soon as practicable for the children of such adults
2 following the decision that such adults would be processed for prosecution.

3 12. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the
4 foregoing is true and correct to the best of my knowledge.

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7 Executed on this 3rd day of March, 2023.

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***C.M. v. United States*, Case No. 2:19-cv-05217-SRB (D. Ariz.)
Declaration of Shawn Jordan- Attachment 1**

DOCUMENTS SUBMITTED UNDER SEAL

***C.M. v. United States*, Case No. 2:19-cv-05217-SRB (D. Ariz.)**
Declaration of Shawn Jordan- Attachment 2

DOCUMENTS SUBMITTED UNDER SEAL

***C.M. v. United States*, Case No. 2:19-cv-05217-SRB (D. Ariz.)
Declaration of Shawn Jordan- Attachment 3**

DOCUMENTS SUBMITTED UNDER SEAL

***C.M. v. United States*, Case No. 2:19-cv-05217-SRB (D. Ariz.)
Declaration of Shawn Jordan- Attachment 4**

DOCUMENTS SUBMITTED UNDER SEAL

***C.M. v. United States*, Case No. 2:19-cv-05217-SRB (D. Ariz.)**
Declaration of Shawn Jordan- Attachment 5

DOCUMENTS SUBMITTED UNDER SEAL

***C.M. v. United States*, Case No. 2:19-cv-05217-SRB (D. Ariz.)
Declaration of Shawn Jordan- Attachment 6**

DOCUMENTS SUBMITTED UNDER SEAL